BRAKE® F16

Herbicide



GROUP 12 HERBICIDE



For the control of glyphosate resistant Palmer amaranth in cotton in Georgia, North Carolina and South Carolina under authorization for emergency exepmtions under Section 18 of FIFRA.

Active Ingredient

fluridone

5-[2-chloro-4-(trifluoromethyl)phenoxy]-N-(methylsulfonyl)-2-nitrobenzamide... 14.61% Other Ingredients ... 73.69%

Equivalent to 1.2 pounds fluridone and 1.5 pound formesafen active ingredient per gallon.

ATTENTION

- THIS IS AN UNREGISTERED PESTICIDE PRODUCT AND IS FOR DISTRIBUTION AND USE ONLY IN STATES WITH A VALID AUTHORIZATION FOR AN EMERGENCY EXEMPTION UNDER SECTION 18 OF FIFRA FOR THE CONTROL OF GLYPHOSATE-RESISTANT PALMER AMARANTH IN COTTON.
- This product cannot be used without valid State-Specific Section 18 Use Directions which must be in the possession of the user at the time of application.
- It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.
 Read entire label before applying. Carefully follow all applicable directions, restrictions, PPE requirements and precautions.
- All unused product remaining after expiration of this exemption must be returned to the distributor or to SePRO Corporation.

Keep Out of Reach of Children

DANGER / PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

Causes irreversible eye damage. Harmful if swallowed, inhaled or absorbed through skin. Do not get in eyes, on skin or on clothing. Avoid breathing vapors or spray mist.

NOTICE: Read the entire label before using. Use only according to label directions. Before buying or using this product, read *Terms and Conditions of Use, Warranty Disclaimer, Inherent Risks of Use* and *Limitation of Remedies* inside label booklet. If terms are unacceptable, return at once, unopened.

SHAKE WELL BEFORE USING

Agricultural Chemical: Do not ship or store with food, feeds, drugs or clothing.

*Brake is a registered trademark of SePRO Corporation.

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FIRST AID				
If in eyes	 Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes; then continue rinsing eye. Call a poison control center or doctor for treatment advice. 			
If swallowed	 Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything to an unconscious person. 			
If on skin or clothing	 Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 20 minutes. Call a poison control center or doctor for treatment advice. 			
If inhaled	 Move person to fresh air. If person is not breathing, call 911 or an ambulance; then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further 			

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

treatment advice.

HOTLINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of emergency endangering health or the environment involving this product, call **INFOTRAC** at 1-800-535-5053.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

KEEP OUT OF REACH OF CHILDREN DANGER / PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

This product contains fomesafen which has been determined to cause tumors in laboratory animals (mice). Risks can be reduced by closely following use directions and precautions and by wearing the protective clothing specified elsewhere on this label.

Causes irreversible eye damage. Harmful if swallowed. Harmful if inhaled or absorbed through skin. Do not get in eyes or on skin or clothing. Avoid breathing vapors or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long-pants or coveralls worn over short sleeved shirt and pants;
- Chemical-resistant gloves such as barrier laminate or viton;
- · Shoes plus socks; and
- Protective eyewear.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

When handlers use closed systems or enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

For terrestrial use only. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Do not apply when weather conditions favor drift from target area. One of the active ingredients in this product is known to leach through soil into groundwater under certain conditions as a result of label use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

DO NOT apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation. Ensure spray drift to non-target species does not occur.

Keep containers closed to avoid spills and contamination.

IN CASE OF EMERGENCY

In case of large-scale spillage regarding this product, call INFOTRAC at 1-800-535-5053.

In case of medical emergency regarding this product, call:

- Your local doctor for immediate treatment;
- Your local poison control center (hospital);
- INFOTRAC: 1-800-535-5053.

Steps to be taken in case material is released or spilled:

- Dike and contain the spill with inert material (sand, earth, etc.) and transfer liquid and solid diking material to separate containers for disposal.
- Remove contaminated clothing, and wash affected skin areas with soap and water.
- Wash clothing before reuse.
- Keep the spill out of all sewers and open bodies of water.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), restricted-entry interval, and notification to workers. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and involves contact with anything that has been treated, such as plants, soil, or water, is:

- Long-sleeved shirt and long-pants or coveralls worn over short sleeved shirt and pants;
- Chemical resistant gloves such as barrier laminate or viton;
- Shoes plus socks; and
- Protective eyewear.

PRODUCT INFORMATION

Read all label directions before using.

BRAKE F16 is a selective pre-emergent herbicide for use in cotton to control glyphosate resistant Palmer amaranth. Depending on application rate and soil type, BRAKE F16 may be applied as preplant or preemergent surface application in coarse, medium or fine textured soils (refer to Table 2 for application rates for BRAKE F16). Herbicidal symptoms of BRAKE F16 appear as white (chlorotic) or pink growing points in susceptible plant species. Cotton is tolerant to applications of BRAKE F16 when applied according to the label. Some crinkling or spotting on cotton foliage or stunting may occur, especially if heavy rainfall occurs during or soon after cotton emergence, but cotton plants normally outgrow these effects and develop normally.

Use Restrictions and Precautions

- Use BRAKE F16 for the control of Palmer amaranth populations with resistance to glyphosate.
- Do not apply by air.
- Chemigation: Do not apply through any type of irrigation system.
- Do not apply more than 1 pint (16 fluid ounces) of BRAKE F16 per acre per year (equivalent to 0.15 pounds fluridone/acre; 0.1875 pounds fomesafen/acre).
- Apply prior to planting or prior to emergence of cotton. SePRO does not recommend applying BRAKE F16 over the top of cotton plants as cotton injury will likely occur.
- Do not apply more than 0.375 lb. of fomesafen, from any product containing fomesafen, per acre per year, if other products containing fomesafen are used during the season.
- SePRO does not recommend tank mixing BRAKE F16 with other products containing fomesafen as cotton injury may occur.
- Thoroughly clean the spray system with water and a suitable tank cleaner before and after each use.
- To provide adequate coverage, it is recommended that ground speed not exceed 10 mph during application.
- Avoid overlapping spray swaths as injury may occur to rotational crops.

Rotational Crop Restrictions

BRAKE F16 may persist in the soil past the cotton growing season. To avoid difficulties in establishing rotational crops, the following restrictions in Table 1 must be followed:

Table 1. ROTATIONAL CROP RESTRICTIONS FOR BRAKE F16.					
Crop to be planted	Minimum rotation interval (months after last BRAKE F16 application)				
Application rate of 16 fluid ounces BRAKE F16 per acre					
Cotton	0				
Soybean and small grains such as wheat, barley, and rye	8				
Peanut, rice, corn, sorghum, sweet potato, and tobacco	10				
Alfalfa, sunflower, or tomatoes, peppers and other Solanaceae family of crops except tobacco	18				

- To minimize potential injury to rotational crops, fields treated with BRAKE F16 must be tilled prior to planting rotational crops other than cotton.
- In the event of poor cotton stand due to adverse weather or other circumstances, a field treated with BRAKE F16 may be replanted with cotton following light tillage or planted in the undisturbed soil. During replanting, minimum tillage is recommended to preserve the herbicide barrier for effective weed control.
- If a field needs to be replanted with cotton due to poor stand or stand failure, do not apply a second application of BRAKE F16, or other products containing fomesafen, as crop injury may occur. If tank-mix combinations were initially used, refer to product labels for any additional replanting instruction.
- Follow the crop rotation intervals specified in Table 1. For any crop not specifically listed in Table 1, do not replant for 18 months in fields treated with BRAKE F16, as crop injury may occur.
- Over-application may result in crop injury or injury to rotational crops. Avoid overlapping spray swaths, as injury may occur to rotational crops.

MIXING AND APPLICATION DIRECTIONS

Apply BRAKE F16 evenly and uniformly to the soil surface with a minimum spray solution of 10 to 50 gallons per acre. Add the specified amount of BRAKE F16 to water in the spray tank during the filling operation and agitate thoroughly. BRAKE F16 may also be directly metered into the pumping system where it is diluted with water. To dilute with water, fill spray tank partially full with water (e.g. ½ full). Start agitation. Add correct quantity of BRAKE F16. Continue agitation while filling spray tank to required volume and during application. Do not stop agitation prior to or during BRAKE F16 application. Nozzle selection should meet manufacturer's volume and pressure recommendations for preplant surface or preemergence applications.

Tank Mix Directions

BRAKE F16 may be tank mixed with other herbicides to enhance efficacy and plant selectivity provided that the labels for BRAKE F16 and the tank-mix partner do not prohibit such mixing. When tank mixing, read and follow the labeled precautionary statements, directions for use, weeds controlled, and other restrictions for each tank mix product. Use in accordance with the most restrictive label limitations and precautions of the products used in the tank-mix. Do not exceed any labeled rate. Due to the many herbicide formulations available and to ensure compatibility, ALWAYS conduct a jar test before field application of any tank mix combination. Do not tank mix BRAKE F16 with herbicides containing pendimethalin (e.g. Prowl®) or trifluralin (e.g. Treflan®). Do not allow tank mixed material to sit in the spray tank for extended periods of time prior to application (e.g. overnight).

NOTE: Tank mixing or use of BRAKE F16 with any other product which is not specifically and expressly authorized by the label shall be at the exclusive risk of the user, applicator and/or application adviser, to the extent allowed by applicable law.

Spray Additives and Fertilizers: No adjuvants are needed for preplant surface or preemergence applications of BRAKE F16. Due to differences in water quality and the numerous products available, not all adjuvants or fertilizers have been tested for compatibility with BRAKE F16. Thus, conduct a jar test before mixing BRAKE F16 with adjuvants and/or fertilizer to ensure compatibility. Do not mix BRAKE F16 with spray adjuvants or drift control agents containing polyacrylamide, or fertilizers containing sulfur. If BRAKE F16 is part of a tank-mix that includes a burndown herbicide or combination, follow label use directions for the adjuvant/surfactant and other herbicides used in the tank-mix.

Soil Preparation - Start Clean

BRAKE F16 will not control established weeds. It is important to start clean by controlling all existing weeds prior to and/or during BRAKE F16 application. Depending on the type of tillage, established weeds could be covered with soil and shielded from exposure to the burndown herbicide. Therefore, for best results, apply burndown herbicides 24 to 96 hours prior to cultivation in conventional and strip tillage systems. Depending on environmental conditions, tillage can also disturb the seed bank and cause more weeds to germinate. Therefore, it is recommended to tank-mix BRAKE F16 with a burndown herbicide, such as Gramoxone® (active ingredient paraquat labeled for use in cotton), at the time of planting.

Spray Drift Management

Avoiding spray drift at the application site is the responsibility of the applicator and the grower. The interaction of many equipment and weather-related factors determines the potential for spray drift. The applicator and/or grower must consider the interaction of equipment and weather-related factors to ensure that the potential for drift to sensitive nontarget plants is minimal. BRAKE F16 may only be applied when the potential for drift to adjacent sensitive areas (e.g., residential areas, known habitats for threatened or endangered species, non-target crops) is minimal (e.g., when wind is blowing away from the sensitive areas). Avoid drift to all other crops and nontarget areas. Other crop species may be severely injured by drift. Do not apply under circumstances where possible drift can occur to unprotected persons or to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. All application equipment must be properly maintained and calibrated using appropriate carriers. For all applications, wind speed must be measured adjacent to the application site, on the upwind side, immediately prior to application. Do not apply when wind speed is greater than 15 MPH or during periods of temperature inversions. Do not apply when weather conditions, wind speed, or wind direction may cause spray drift to non-target areas.

APPLICATION RATES

Apply BRAKE F16 as a preplant or preemergence application prior to cotton emergence. The recommended Brake F16 application rate by soil type is listed in Table 2. Refer above to the APPLICATION METHODS section of this label for additional use directions.

Table 2. RECOMMENDED APPLICATION RATES FOR BRAKE F16.						
Soil Texture	Rate in fluid ounces/acre ² (rate range)	Application Method				
Coarse (sand, sandy loam, loamy sand, loam, or sandy clay loam)						
Medium (silt loam, silt, silty clay loam¹)	16 fluid ounces	Preemergence; or preplant up to 14 days prior to planting				
Fine (clay loam, silty clay, clay)						

¹ Silty clay loam is a transitional soil and may be classified as medium or fine.

Band Application

BRAKE F16 may be applied as a banded application. When BRAKE F16 is applied on a band, calculate the amount of herbicide and water volume needed for band treatment by the following formulas:

 $\frac{Band \ width \ in \ inches}{Row \ width \ in \ inches} \ \ \ \ \ \ \ \ \ \ \frac{Broadcast \ volume}{per \ acre} \ \ = \ \ Band \ water \ volume \ per \ acre$

Band width must not exceed 50% (one-half) the cotton row width. Best coverage is obtained with a minimum of two nozzles, one directed to each side of the planted row. Application with a single nozzle directed over the top of the row is suitable for preemergence applications. Cultivation of untreated areas may be needed following band applications.

Resistance Management

BRAKE F16 contains both a Group 12 and Group 14 herbicide. These active ingredients, from different target site of action Groups, are combined in BRAKE F16 for improved Palmer amaranth control and resistance management practices. Any weed population may contain or develop plants naturally resistant to Group 12 or 14 herbicides. Combining active ingredients is one way to delay development of

herbicide resistance. However, weed species with acquired resistance to Group 12 or 14 may eventually dominate the weed population if Group 12 or 14 herbicides are used repeatedly in the same field or in successive years as the primary method of control for targeted species. This may result in partial or total loss of control of those species by BRAKE F16 or other Group 12 or 14 herbicides.

Do not make more than two consecutive annual applications of **BRAKE F16.** After the second year's application, use an alternative herbicide effective in controlling the weeds of concern the following year.

To delay herbicide resistance consider:

- Ávoiding the consecutive use of BRAKE F16 and other target site of action Group 12 or 14 herbicides that have a similar target site of action, on the same weed species;
- Basing herbicide use on a comprehensive Integrated Pest Management (IPM) program;
- Monitoring treated weed populations for loss of field efficacy and treat weed escapes immediately with another group herbicide start weed free and stay weed free;
- Contacting your local extension specialist, certified crop advisors, and/or manufacturer for herbicide resistance management and/or integrated weed management recommendations for specific crops and resistant weed biotypes;
- Consulting your agricultural dealer, consultant, applicator, and/or appropriate state agricultural extension service representative for specific alternative cultural practices or herbicide recommendations available in your area.
- For further information or to report suspected resistance, you may contact a SePRO Corporation company representative.

Integrated Pest Management

BRAKE F16 may be used as part of an Integrated Pest Management (IPM) program that can include biological, cultural, and genetic practices aimed at preventing economic pest damage. IPM principles and practices include field scouting or other detection methods, correct target pest identification, population monitoring, and treating when target pest populations reach locally determined action thresholds. Consult your state cooperative extension service, professional consultants or other qualified authorities to determine appropriate action treatment threshold levels for treating specific pest/crop systems in your area.

APPLICATION METHODS

Germinating Palmer amaranth can be controlled by soil residual activity from either preplant surface or preemergence applications of BRAKE F16 in no till, strip or conventional tillage situations.

Preemergence Applications

Apply BRAKE F16 as a preemergence treatment to all soil types at a rate of 16 fluid ounces/acre. For best results, apply behind the planter (i.e. at planting) or within 36 hours after planting. **Do not apply more than 16 fluid ounces per acre as crop injury may occur.** Moisture is necessary to activate BRAKE F16 in soil for residual weed control. Dry weather following applications of BRAKE F16 may reduce effectiveness. For improved Palmer amaranth control, a minimum of 0.5 inches of rain or overhead irrigation is recommended following application.

Preplant Surface Applications

BRAKE F16 may be applied as preplant surface application in coarse, medium or fine textured soils up to 14 days before planting. Apply after the last tillage operation is completed. For preplant surface applications in medium or fine-textured soils at 16 fluid ounces/acre, a minimum of 0.5 inch of rainfall or overhead irrigation must occur before planting cotton; cotton must be planted at least 0.75 inches in depth; and the seedbed must not be distrubed or re-worked following application.

Controlling Early Weed Escapes

DO NOT use BRAKE F16 as a stand-alone herbicide. BRAKE F16 must be used as part of a comprehensive weed control program. Palmer amaranth may escape control prior to BRAKE F16 being activated by moisture. A postemergent application 12 to 16 days after planting that includes a non-selective post-herbicide, in combination with a residual herbicide (e.g. Warrant® or Dual Magnum®), IS REQUIRED to control early Palmer amaranth escapes and to overlap residual herbicides. The purpose of overlapping residual herbicides during postemergent applications is to eliminate all weed escapes for a zerotolerance approach. Aggressive scouting is recommended and, when necessary, use secondary postemergent applications including a residual herbicide. Depending on the frequency of Palmer amaranth escapes, standard post-directed or layby herbicide applications are also recommended, when necessary, in addition to other cultural practices. Only use herbicides that are compatible with the cotton variety being grown. If uncertain, contact a local extension agent or crop consultant to verify herbicide tolerance for different cotton varieties.

² Do not apply more than 16 fluid ounces per acre.

The BRAKE F16 Preemergence Four-Step System: Start Clean. Stay Clean.

- 1. Pre-plant burndown and/or cultivate;
- 2. Apply BRAKE F16 at-plant or within 36 hours of planting with a burndown herbicide;
- Postemergent application including a non-selective and residual herbicide 12-16 days after planting; and
- Scout and utilize postemergent and layby applications with overlapping residuals as needed (See specific directions for Roundup Ready® varieties below)

Roundup Ready (glyphosate tolerant) Cotton Varieties

When planting varieties of cotton that are tolerant to Roundup® (glyphosate), any escape of glyphosate resistant Palmer amaranth will not be controlled with a postemergent application of glyphosate. Thus, the use of overlapping residual herbicides is required to maintain adequate control of glyphosate resistant Palmer amaranth in such systems and to minimize the potential for Palmer amaranth seeds to germinate and become established. For best results, follow a comprehensive weed management program with timely applications of overlapping residual herbicides, such as the integrated herbicide program in Table 3. POST 1 - Application containing both a non-selective and a residual herbicide 12-16 days after planting. POST 2 - Second postemergence application containing an additional residual herbicide 12-16 days after the POST 1 application. LAYBY - Application containing a residual herbicide 14 to 18 days after the POST 2 application. Additional applications may be necessary depending on environmental conditions and weed pressure. The timely application of overlapping residuals in the post-emergent program is critical for a zero-tolerance Palmer amaranth strategy in Roundup Ready systems and to reduce the chances of glyphosate resistant Palmer amaranth from becoming established. In areas of high Palmer amaranth pressure and under conditions that favor Palmer amaranth emergence, apply postemergent applications following the shorter intervals (e.g. 12 days).

Table 3. Example of Integrated Herbicide Program for Roundup Ready Cotton Featuring BRAKE F16							
PRE	PRE	POSTEMERGENCE ¹					
Plant	Emergence						
PPL	PRE	POST 1 (12 -16 days after PRE)	POST 2 (12-16 days after POST 1)	LAYBY (14-18 days after POST 2)			

¹ Always read and follow herbicide label directions for application methods and rates

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. **Pesticide Storage:** Keep from freezing. Store in original container only. Do not store near feed or foodstuffs. In case of leak or spill, use absorbent materials to contain liquids and dispose as waste. **Pesticide Disposal:** Wastes resulting from use of this product may be used according to label directions or disposed of at an approved waste

disposal facility.

Container Handling

Nonrefillable Container. DO NOT reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying; then offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

Triple rinse containers small enough to shake (capacity ≤ 5 gallons) as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank, or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank, or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

TERMS AND CONDITIONS OF USE

If terms of the following *Warranty Disclaimer, Inherent Risks of Use* and *Limitation of Remedies* are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, to the extent consistent with applicable law, use by the buyer or any other user constitutes acceptance of the terms under *Warranty Disclaimer, Inherent Risks of Use,* and *Limitation of Remedies*.

WARRANTY DISCLAIMER

SePRO Corporation warrants that the product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, SEPRO CORPORATION MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of SePRO Corporation or the seller. To the extent consistent with applicable law, all such risks shall be assumed by buyer.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories) shall be limited to, at SePRO Corporation's election, one of the following:

- (1) Refund of purchase price paid by buyer or user for product bought, or
 - (2) Replacement of amount of product used.

To the extent consistent with applicable law, SePRO Corporation shall not be liable for losses or damages resulting from handling or use of this product unless SePRO Corporation is promptly notified of such losses or damages in writing. In no case shall SePRO Corporation be liable for consequential or incidental damages or losses.

The terms of the *Warranty Disclaimer, Inherent Risks of Use* and this *Limitation of Remedies* cannot be varied by any written or verbal statements or agreements. No employee or sales agent of SePRO Corporation or the seller is authorized to vary or exceed the terms of the *Warranty Disclaimer* or this *Limitation of Remedies* in any manner.

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- Prowl is a registered trademark of BASF Corporation.



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